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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/752,065	12/29/2000	Emilio Alberti	YOR920000593	7741

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EXAMINER

HEWITT II, CALVIN L

ART UNIT	PAPER NUMBER
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3621

DATE MAILED: 08/27/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/752,065

Applicant(s)

ALBERTI ET AL.

Examiner

Calvin L Hewitt II

Art Unit

3621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 29 December 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-76 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-76 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

***Status of Claims***

1. Claims 1-76 have been examined.

***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-43, 51, and 53-70 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1, 19, 26, 51 and 53 recite, "...wherein one or more aspects of managing the information traditionally performed..." However, the Applicant has not provided evidence for this assertion. For example, the Applicant has not provided an analysis and history of system architectures and their application. Further, what defines "traditionally"? An architecture used by 51%, 75% or 99.97% of the companies and agencies for the past 3 years? 10 years? 100 years? To one of ordinary skill the scope of the Applicant's claimed system is not clearly defined.

Claims 2-18, 21-25, 27-50 and 54-70 are also rejected as they depend from claims 1, 19, 26 and 53 respectively.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-23, 25-48, 49-74 and 76 rejected under 35 U.S.C. 102(b) as being clearly anticipated by Walker et al., U.S. Patent No. 5,794,207.

As per claims 1-23, 25-48, 49-74 and 76, Walker et al. teach a method for managing information comprising:

- identifying information (e.g. entered data regarding proposal for a contract) to be managed (figure 1)
- managing information within a public environment offline from the private environment (figures 2, 6 and 20; column 12, lines 8-21 and 40-53; column 14, lines 33-39; column/line 22/39-23/19; column 27, lines 20-43)

- obtaining (e.g. pre-fetching) data from the private electronic environment to be used for creating the proposal and wherein the private environment comprises executing a server running an enterprise resource planning system (figures 6 and 14; column 12, lines 40-53; column/line 16/62-17/8; column 24/24-25/19; column/line 27/30-30/29)
- negotiating one or more terms of the proposal while disconnected from the private environment (column/line 15/45-16/63; column 19, lines 54-60; column/line 22/39-23/19)
- managing in said public environment comprising maintaining (or storing), obtaining status related to information and a report related to the information (figures 2, 6 and 20; column 12, lines 8-21 and 40-53; column/line 16/62-17/8; column 17, lines 25-47; column/line 22/39-23/19; column 27/20-28/18)
- registering (in real-time) the information with the private environment (figures 2, 5 and 6; column 12, lines 8-21 and 40-53)
- requesting approval of the information wherein registering is in response to the approval (figures 5 and 6; column/lines 16/62-17/8; column 17, lines 25-47; column/line 23/65-25/35; column 27/20-28/18)
- registering a proposal to form a contract and administering a contract (abstract; column 8, lines 27-56)

- a public environment comprising a web server executing a portal  
(figures 1 and 2; column 14, lines 8-30)

Walker et al. also teach:

- obtaining proposal data from a private environment, creating the proposal in a public environment and providing said proposal to said private environment, approving said proposal prior to providing said proposal to the private environment, registering the proposal with a private electronic environment, wherein the approved proposal becomes a [sales] contract, negotiating one or more terms of the proposal (abstract; column/line 22/39-23/19; column/line 23/65-25/35; column 26, lines 47-56)
- public environment comprises a web server (figures 1 and 2; column 14, lines 8-30)

### ***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 24, 49 and 75 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al., U.S. Patent No. 5,794,207.

As per claim 24, 49 and 75, Walker et al. teach a system for managing information utilizing a distributed processing architecture (figures 1, 2 and 20; column 12, lines 8-20 and 35-53; column 14, lines 30-40; column/line 27/20-28/18). Walker et al. do not explicitly recite firewalls, however, firewalls are well known systems used for protecting a network from an external threat. Therefore, it would have been obvious to one of ordinary skill to utilize a firewall to protect a computing environment from unauthorized accesses to private data (user identity data, credit card data, transaction data... etc.)

### ***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- Webber et al. teach automated back office processing
- Simon teaches digital contract generation
- [www.sei.cmu.edu](http://www.sei.cmu.edu)- discloses Distributed/Collaborative Enterprise Architectures and Three-Tier Software Architecture

9. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Calvin Loyd Hewitt II whose telephone

number is (703) 308-8057. The Examiner can normally be reached on Monday-Friday from 8:30 AM-5:00 PM.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, James P. Trammell, can be reached at (703) 305-9768.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks  
c/o Technology Center 2100  
Washington, D.C. 20231

or faxed to:

(703) 305-7687 (for formal communications intended for entry and after-final communications),

or:

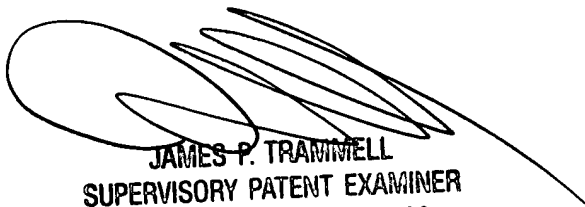
(703) 746-5532 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park 5,  
2451 Crystal Drive, 7th Floor Receptionist.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-1113.

Calvin Loyd Hewitt II

August 20, 2003

  
JAMES P. TRAMMELL  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600